

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 245**

Introduced By: Johnson, 37  
Read first time: January 10, 2007  
Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public health and welfare; to amend  
2 section 71-3305, Reissue Revised Statutes of Nebraska; to  
3 change provisions relating to fluoridation of drinking  
4 water; and to repeal the original section.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-3305, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           71-3305. ~~(1)~~ Except as otherwise provided in ~~subsection~~  
4 ~~(2)~~ of this section, any political subdivision as defined in section  
5 13-702, that provides the water supply ~~of~~ for human consumption  
6 for any city or village for human consumption having a population  
7 of one thousand or more inhabitants shall add fluoride to such water  
8 supply in the amount and manner prescribed by the rules and  
9 regulations of the Department of Health and Human Services Regulation  
10 and Licensure. ~~(2) Fluoride shall not be added to the water supply~~  
11 ~~of any~~ In any such city or village in which the voters have, after  
12 ~~September 2, 1973,~~ fluoride is not added to the water  
13 supply as of the effective date of this act, the voters may, after  
14 the effective date of this act but before January 1, 2009, adopt an  
15 ordinance by initiative ~~prohibiting~~ under sections 18-2501 to  
16 18-2538 to prohibit the adding of fluoride to its water supply. ~~The~~  
17 ~~procedure for the adoption of any such ordinance shall be that~~  
18 ~~provided in sections 18 2501 to 18 2536. No such ordinance may be~~  
19 ~~adopted in a city or village receiving, or which has contracted to~~  
20 ~~receive, its water supply, or any part thereof, from another~~  
21 ~~political subdivision, or public or private entity, which adds~~  
22 ~~fluoride to its water supply in compliance with subsection (1) of~~  
23 ~~this section, or section 71 3306, or which has available only~~  
24 ~~purchased fluoridated water with which to supply such city or~~  
25 ~~village.~~

26           Sec. 2. Original section 71-3305, Reissue Revised Statutes  
27 of Nebraska, is repealed.

